IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Crl.Rev.Pet.No. 1289 of 2007()

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CRA.507/2005 of ADDL.SESSIONS COURT,-I, MAVELIKKARA
CC.156/2004 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHENGANNUR

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REVN. PETITIONER:

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M.O. MATHEWKUTTY,
MADATHILETHU VEEDU,
THIRUVANVANDOOR, CHENGANNUR,
ALAPPUZHA.

BY ADV. SRI.P.VINODKUMAR

RESPONDENTS:

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1. P.S. UNNIKRISHNAN,
SOJI NIVAS,
PANDANADU NORTH P.O.,
CHENGANNUR, ALAPPUZHA.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**K.R.UDAYABHANU, J.**

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CRL.R.P.NO. 1289 of 2007

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Dated this the 23rd day of March, 2007

**ORDER**

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for 15 days and to pay Rs.50,000/- as compensation to the complainant vide Section 357(3) Cr.P.C and in default to undergo simple imprisonment for one month.

2. The revision petitioner has only sought for modification of sentence and for time to pay the amount of compensation. It is submitted that he is in custody. In the circumstances, sentence is modified to imprisonment already undergone and to pay the compensation with the default clause as ordered by the court below. The revision petitioner is granted four months time from today onwards to pay the amount of compensation. He shall appear before Judicial First Class Magistrate -I, Chengannur on **24.07.2007** to receive sentence. The revision petitioner is ordered to be released forthwith if not required to be detained in any other matter.

The Crl.R.P is disposed of accordingly.

**K.R.UDAYABHANU,JUDGE**

**RV**